

MER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

- v. -

FRANCISCO OVALLE,
a/k/a "Chepe,"

Defendant.

INFORMATION

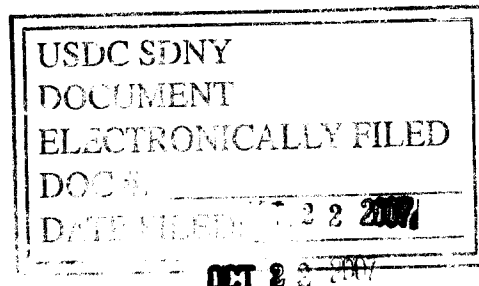
S1 07 Cr. 250 (DAB)

COUNT ONE

The United States Attorney charges:

1. From in or about 2005 through on or about April 24, 2007, in the Southern District of New York and elsewhere, FRANCISCO OVALLE, a/k/a "Chepe," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that FRANCISCO OVALLE, a/k/a "Chepe," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of



cocaine, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

3. In furtherance of the conspiracy to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York;

a. On or about April 24, 2007, FRANCISCO OVALLE, a/k/a "Chepe," the defendant, while in New York, New York, acted as a lookout for two co-conspirators not named as defendants herein who picked up a bag purported to contain cocaine.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION AS TO COUNT ONE

4. As a result of committing the controlled substance offense alleged in Count One of this Information, FRANCISCO OVALLE, a/k/a "Chepe," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds said defendant obtained directly or indirectly as a result of said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information, in violation of Title 21, United States Code, Section 846.

Substitute Assets Provision

5. If any of the property described above as being

subject to forfeiture, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 846 and 853.)

A handwritten signature in black ink, appearing to read "Michael J. Garcia", is written over a horizontal line.

MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(21 U.S.C. § 846.)

MICHAEL J. GARCIA
United States Attorney.
